

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

JASON PAUL STEINBRINK,

Petitioner,

v.

Case No. 8:20-cv-2243-WFJ-JSS

SECRETARY, DEPARTMENT  
OF CORRECTIONS,

Respondent.

\_\_\_\_\_/

**ORDER**

Before the Court is Mr. Steinbrink's motion for reconsideration filed pursuant to Rules 59(e) and 60(b)(1), Federal Rules of Civil Procedure (Doc. 20). "The only grounds for granting [a Rule 59] motion are newly discovered evidence or manifest errors of law or fact." *Arthur v. King*, 500 F.3d 1335, 1343 (11th Cir. 2007). Mr. Steinbrink neither presents newly discovered evidence nor demonstrates the Court committed a manifest error of law or fact in dismissing his petition as time-barred.

Rule 60(b)(1) permits relief based on "mistake, inadvertence, surprise, or excusable neglect." Specifically, "mistakes of judges" may be amended under rule 60(b), and such mistakes include those both of fact and of law. *Nisson v. Lundy*, 975 F.2d 802, 806 (11th Cir. 1992). Mr. Steinbrink asserts that in dismissing his petition as time-barred, the Court may have mistakenly failed to consider his arguments of actual innocence in his Motion for Consideration of Actual Innocence (See Doc. 3). That is incorrect. Before finding the

petition was time-barred, the Court considered Mr. Steinbrink's actual innocence arguments in his petition (Doc. 1), memorandum of law (Doc. 2), Motion for Consideration of Actual Innocence (Doc. 3), and reply (Doc. 13).

Amendment or alteration of the judgment in this case is not warranted. Accordingly, the motion for reconsideration (Doc. 20) is **DENIED**.

**ORDERED** in Tampa, Florida on May 2, 2023.

  
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**WILLIAM F. JUNG**  
**UNITED STATES DISTRICT JUDGE**

**COPIES FURNISHED TO:**  
Counsel of Record  
Jason Paul Steinbrink, *pro se*